

RemarksProvisional Rejections of Claims 1-4 and 7-12 Under Non-statutory Obviousness
Type Double Patenting

No claims have been amended in this office action response. The Examiner has provisionally rejected claims 1-4 and 7-12 under the judicially created doctrine of non-statutory obviousness type double patenting. To overcome this rejection, the Applicant submits the enclosed executed terminal disclaimer with respect to pending US patent application serial number 09/395,262. Accordingly, the Applicant respectfully requests withdrawal of the provisional rejections of claims 1-4 and 7-12 under non-statutory obviousness type double patenting.

Conclusion

The Applicants respectfully contend that the subject application is in a condition for allowance. Allowance is respectfully requested.

Respectfully submitted,

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